

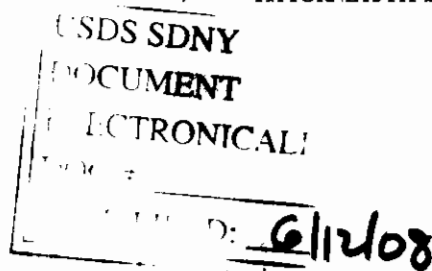
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June 10, 2008

Via Facsimile (212) 805-7946

With permission from Adam - Law Clerk
Attention: Honorable Richard J. Sullivan

Re: Kitaeva, Angelina
File # 08CTm 192

Dear Hon. Sullivan:

I write to explain my and my client's tardiness in appearing on today's scheduled conference date regarding the above referenced matter.

This morning as I was driving to the Federal Court Building on the Long Island Expressway, I became stuck in extensive residual traffic resulting from a car fire which was cleared by the vicinity of the Grand Central Parkway in Queens and arrived at the Court house approximately 15 minutes late. My client was waiting for me on the corner of Midadgh Street and Cadman Plaza in downtown Brooklyn awaiting my arrival so that we would be able to drive into Manhattan together. Upon realizing that I would be arriving at the Courthouse late, I considered having my client take public transportation but since I was afraid that the extra 5 or so minutes she would save by doing so would not be worth the extensive delay if somehow her attempt to use public transportation failed.

I apologize for my tardiness and on behalf of my client. I respectfully submit that my client has dutifully appeared on each and every Court appearance and will continue to do so.

I have discussed with USAA Tom Brown his obligation to provide the transcript, however I have immediately and forthwith ordered the transcript myself which will be paid by myself and obtained on an expedited basis where I expect the transcript to be prepared today so as to eliminate any expense to the People.

I again apologize for my tardiness and I assure this Court that it will not happen again.

Mr. Whitehorn's apology is accepted.
However, in the future, counsel
must contact chambers to
advise the court that he is
detained and provide an estimate
as to when he will arrive in
court.

Sincerely,

Rex Whitehorn, Esq.

ORDERED
Date: 6/14/08 RICHARD J. SULLIVAN
U.S.D.J.